<center>REMARKS</center>

This application has been carefully reviewed in light of the Office Action dated March 14, 2007. Claims 36 to 59 are pending in the application, of which Claims 36, 40, 41, 44, 48, 49, 52, 56 and 57 are independent. Reconsideration and further examination are respectfully requested.

As an initial matter, the Examiner did not provide an initialed copy of the Information Disclosure Statement (IDS) filed on August 18, 2006. A copy of the Form PTO-1449 which accompanied that IDS is attached hereto for the Examiner's convenience. It is respectfully requested that the Examiner initial and return the attached Form PTO-1449 to indicate that the art cited therein has been considered and made formally of record.

Additionally, Applicants submitted a traversal in response to the election requirement set forth in the Office Action dated November 24, 2006. However, the Office Action dated March 14, 2007 did not address that traversal or indicate that the election requirement was final. Accordingly, Applicants respectfully request reconsideration and withdrawal of the election requirement and the concurrent examination of all currently-pending claims, or an indication that the election requirement is final.

Claims 38, 46 and 54 were rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. Applicants have amended Claims 38, 46, and 54 to comply with 35 U.S.C. § 112, first paragraph. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Claims 36, 37, 39, 41, 44, 45, 47, 49, 52, 53, 55 and 57 were rejected under 35 U.S.C. § 102(b) over U.S. Published Appln. No. 2002/0024575 (Sato). Reconsideration and withdrawal of this rejection are respectfully requested.

<center>- 12 -</center>

The present invention concerns an information processing apparatus determining whether or not a print setting of a previous print processing agrees with a print setting of a present print processing, then transmits the printing data if agreement is determined and alerts if non-agreement is determined. According to this arrangement, the information processing apparatus can detect that the present status of a printer may not be compatible with present print settings (e.g., type of media) if the printer does not have any sensor for detecting printer status. In this manner, the present invention enables a printer to reduce a frequency of trouble caused by mismatch of a print setting and a printer status.

Turning to specific claim language, amended independent Claim 36 is directed to an information processing apparatus connected to a printer having a storage unit for storing a print setting included in received printing data and a printing unit for printing the received printing data. The apparatus includes a generation unit for generating printing data; an acquisition unit for acquiring the print setting designated in previous print processing, which is stored in the storage unit; a determination unit for determining whether or not the print setting of the previous print processing, which is acquired by the acquisition unit, agrees with a print setting of the present print processing, which is designated in the printing data that is generated by the generation unit; and a processing unit for transmitting the generated printing data if agreement is determined by the determination unit, and alerting if non-agreement is determined by the determination unit.

Featured in Claim 36 is acquiring a print setting designated in previous print processing, which is stored in a storage unit, determining whether or not the print setting of the previous print processing agrees with a print setting of a present print processing, and

transmitting printing data if agreement is determined, and alerting if non-agreement is determined.

In contrast, Sato discloses a printer enabling a user to select a paper cassette containing papers available for appropriate finishing process. Information on which stage of the cassette is selected for a paper feed for printing is stored in RAM 1036 (paragraph 0059). This information can be set or cleared at any arbitrary timing. For example, if a page to be printed is the first page of a print job, information on which stage of the cassette is selected for a paper feed for printing is cleared. Furthermore, data is deleted if it is found that printing cannot be continued. Since the stored data is only used for printing a document, the data can be erased after printing is complete without effecting the following print processing.

The printer obtains paper cassette information from a cassette information table shown in Fig. 9 (step S601 and paragraph 0084-0085). The cassette information is rewritten at an appropriate timing in a case of a change of a size or a type of the paper in each cassette (paragraph 0085). The cassette information to be written in the cassette information table is obtained by various sensors including a sensor for detecting paper size (see paragraph 0033). Therefore, the cassette information obtained at S601 in Fig. 6 is not information at previous a time but information at a present time.

Accordingly, Sato fails to disclose that the a print setting stored by a printing process is used by the next printing process and that the information stored by the previous print processing is obtained during the current print processing. Therefore, Sato is not seen to disclose or suggest at least the feature of acquiring a print setting designated in previous print processing, which is stored in a storage unit, determining whether or not

the print setting of the previous print processing agrees with a print setting of a present print processing, and transmitting printing data if agreement is determined, and alerting if non-agreement is determined, as featured in Claim 36.

Accordingly, Applicants submit that Claim 36 is in condition for allowance and respectfully request same.

Claim 41 is an apparatus featuring acquiring a type of media designated in previous print processing, which is stored in a storage unit, determining whether or not the type of media designated in the previous printing process agrees with a type of media designated in a present printing operation by a user, and transmitting printing data if agreement is determined, and displaying a message if non-agreement is determined, as similarly featured in Claim 36. Accordingly, Applicants submit that Claim 41 is also in condition for allowance for at least the same reasons as Claim 36, and respectfully request same.

Claims 44 and 52 are directed to a method and a computer-readable medium substantially in accordance with the apparatus of Claim 36. Claims 49 and 57 are directed to a method and a computer-readable medium substantially in accordance with the apparatus of Claim 41. Accordingly, Applicants submit that independent Claims 44, 49, 52, and 57 are also in condition for allowance and respectfully request same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed allowable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

<u>CONCLUSION</u>

No claim fees are believed due; however, should it be determined that additional claim fees are required, the Director is hereby authorized to charge such fees to Deposit Account 50-3939.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Frank Cire #42,419/
Frank L. Cire
Attorney for Applicants

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

FCHS_WS 1423810v1

- 17 -